

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Baltimore _____
FILE NUMBER: 200502240-2 _____

REGULATORY PROJECT MANAGER: Michael Danko _____ **Date:** July 25, 2005 _____

PROJECT REVIEW/DETERMINATION COMPLETED: In the office ____ (Y/N) **Date:** _____
 At the project site _Y_ (Y/N) **Date:** March 31, 2005 _____

PROJECT LOCATION INFORMATION:
State: Pennsylvania _____
County: York _____
Center coordinates of site by latitude & longitudinal coordinates: 40, 07', 45" / 77, 02', 15" _____
Approximate size of site/property (including uplands & in acres): 42.92 acres _____
Name of waterway or watershed: Closest waterway: Dogwood Run

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream	X								
Dry Wash									
Mudflat									
Sandflat									
Wetlands		X							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ____ Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): A cumulative total of approximately 1.5 acres of wetlands are present within lot numbers 12, 14, 16, 40 and 44 of the existing Chadwick Meadows residential subdivision. These wetland areas drain by 2 stream channels via culverts under Spring Lane Road, whereby the physical characteristics of an ordinary high water mark are no longer discernable as the stream channels infiltrate into upland areas including abandoned agricultural fields. These channels are not part of a surface tributary system to navigable waters of the United States and/or interstate waters, and therefore the headwater wetlands are not considered adjacent.